

Children First Program Guide

Revised Edition for Program Operations
Beginning January 2005
Division of Workforce Solutions
Bureau of Child Support
PO Box 7935
Madison, WI 53707-7935



State of Wisconsin
Department of Workforce Development

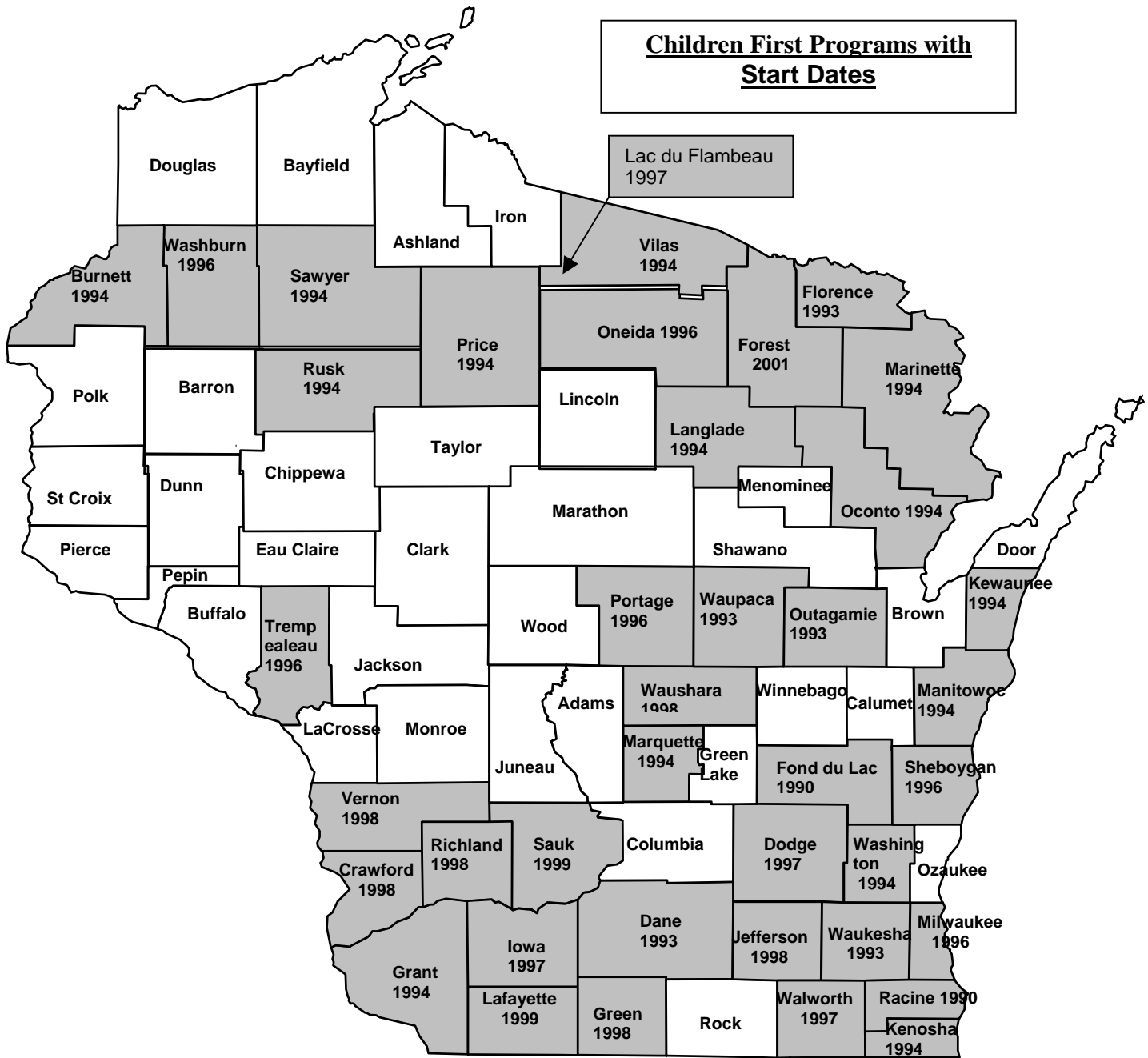
Table of Contents

Map-Children First Programs.....	3
Introduction	4
Background.....	4
Program Administration	4
Program Eligibility and Court Orders	5
Participation Requirements.....	6
Travel Reimbursement.....	6
Children First Referral and Registration.....	7
Children First Data Entry and Tracking.....	7
➤ Registration and Enrollment.....	7
➤ Orientation.....	8
➤ Assessment and Employability Plan	8
➤ Activities	8
➤ Activities Without CARES Codes	8
➤ Child Support Payment Tracking	9
➤ Documenting Case Information/Comments	9
Dual Enrollment	9
Children First Program Non-Compliance	9
Fact-Finding Process	10
Program Completion	10
Out of County NCPs	10
Children First Forms	11
Program Monitoring by DWD	11
Children First Program Funding.....	11
Expense Reporting	12

ATTACHMENTS:

1. Wisconsin Statutes 49.36 and 767.295	13
2. Workforce Development Areas	15
3. Children First Program Registration Form	16
4. Children First Initial Appointment Notice.....	17
5. Your Rights and Responsibilities	18
6. Children First Fact Finding Appointment Notice	20
7. Children First Reconciliation Agreement.....	21
8. Notification of Non-Compliance with Children First Program.....	22
9. Affidavit of Non-Compliance with Children First Program.....	23
10. Affidavit of Successful Completion of Children First Program.....	24

Children First Programs with Start Dates



1990	1993	1994	1996	1997	1998	1999	2001
Fond du Lac Racine	Dane Florence Outagamie Waukesha Waupaca	Burnette Grant Kenosha Kewaunee Langlade Manitowoc Marinette Marquette Oconto Price Rusk Sawyer Vilas Washington	Milwaukee Oneida Portage Sheboygan Trempealeau Washburn	Dodge Iowa Lac du Flambeau Walworth	Crawford Green Jefferson Richland Vernon Waushara	Lafayette Sauk	Forest

Introduction

Children First was developed to provide employment and training services for noncustodial parents (NCPs) who were not paying child support due to being unemployed or underemployed. Children First participation and program requirements are explained in Wisconsin Statutes 49.36 and 767.295. Copies of these statutes are included as attachments in this Program Guide.

Although the Children First Program has a “work first” philosophy, a combination of job search activities as well as other services may be provided to promote self-sufficiency and responsible parenting. Per s. 767.295 Wis. stats., the NCP successfully completes the Children First Program when he/she makes timely payment in full for three consecutive months, or participates in the Children First Program for 16 weeks.

Participation in the Children First Program is court ordered. In cases where an NCP is unable to meet a child support obligation, the court may order participation in the Children First Program. The primary goal of the program is to improve the ability of the NCP to pay court ordered support. Research shows that when child support is paid fathers are more likely to be involved in the lives of their children. In addition, child well being is increased when both parents are involved in the life of the child. The Children First Program provides services and support to assist noncustodial parents to become involved in the lives of their child/ren.

Background

Children First, or the Community Work Experience Program for NCPs, was authorized by 1987 Wisconsin Act 413. The Children First Program was implemented in 1990 in Racine and Fond du Lac counties as part of the welfare reform plan for Wisconsin. The program has expanded to 39 counties and one tribe. A map of the program expansion in Wisconsin, complete with their start up dates, is located on the second page of this document.

The Children First Program has undergone several evaluations that indicate that child support outcomes improve after program participation. Data from a recent report by the University of Wisconsin Institute for Research on Poverty shows that among Children First participants with earnings, the number of NCPs making payments after Children First participation increased. In addition, there was an increase in the amount of child support paid. This report and prior evaluations are available through the Department of Workforce Development (DWD), Bureau of Child Support (BCS). Contact Theola Carter at (608) 266-9909 to have a copy sent to you.

Program Administration

The Children First Program is administered through the Department of Workforce Development (DWD), Division of Workforce Solutions (DWS). Within DWS, the Bureau of Child Support (BCS) has oversight responsibilities for the program that includes policy development and interpretation, program planning, and contract funding.

S.49.36(2) Wis. Stats. permits DWD to contract with any county agency, tribal governing body, or Wisconsin works agency to administer the program. Children First contracts may be issued as an addendum to a W-2 contract, an addendum to the annual county/tribal child support contract, or as a separate contract. The contract agency may elect to subcontract with other private or public agencies to conduct all or part of the Children First Program activities, and may direct the Children First participant to participate in other appropriate community activities. The contract agency must designate a contract administrator that is responsible for all DWD communications related to the Children First Program.

Contract agencies are allowed flexibility in designing the program structure. However, all programs must comply with state statutes and state policies and procedures in administering the program. This Program Guide sets current policies and procedures and supersedes policy previously outlined in DWD/DWS Administrators Memos 01-14 and 02-05.

Operation of the Children First Program requires a formal partnership at the county or tribal level between the child support agency, the county/tribal judicial system, and often the W-2 agency. Partnerships are essential for the success of the program.

Activities performed by the child support agency are considered child support enforcement activities and, therefore, are funded under the child support (IV-D) program. These activities are **not** reimbursable with Children First funds.

Consortium and/or partnership arrangements are encouraged. The contract agency must be designated as the lead agency and is responsible for the consortium or partnership. All Children First consortium and/or partnership arrangements must be formed within the boundaries of a Workforce Development area. A copy of the Workforce Development Board areas is attached to this Program Guide. The proposed Children First service area does not need to include all of the geographic service areas of a W-2 program consortium. Tribal governing bodies may provide services to NCPs who reside on tribal lands and/or to other tribal members who do not reside on tribal lands.

Program Eligibility and Court Orders

Per Wisconsin statutes, participation in the Children First Program must be court ordered. In addition, the NCP must be ordered to pay current support.

Wisconsin Statutes 767.295 and 49.36 determine the eligibility requirements for the Children First Program. Copies of these statutes are found as attachments to this Program Guide. The court may order an NCP to participate in the program providing that **all** of the following criteria are met (s. 767.295). These criteria must be incorporated into the court order as findings of the court:

- The parent is able to work full-time.
- The parent works an average of less than 32 hours per week, and is not participating in an employment and training program.
- The parent earns less than he/she has the ability to earn or has an actual weekly gross income of less than 40 times the federal minimum hourly wage.
- The parent resides in a county with a work experience and job training program under s. 49.36 and that county agrees to enroll the parent.
- The court order must establish support in the amount the parent was ordered to pay in the most recent determination of support or an amount equal to the amount determined by applying the percentage standard established under s. 49.22(9) to the income a person would earn by working 40 hours per week for the federal minimum hourly wage under 29 USC 206(a)(1).
- The court order must provide that, after the obligation to make payments ordered under section 767.295 ceases, the parent must make payments calculated under section 767.25 (1j) or (1m).

The Kids Information Data System (KIDS) contains a Children First Court Order document that can be used. The path is 09,13, 01,13. Note that this document contains all the findings/language needed to comply with the statutes. KIDS also contains other documents that reference the Children First Program including:

Stip/Order for Support	path 09,09,05
Order for Support	path 09,09,06
Order-Amending Judgment	path 09,11,13
Stip/Order-Amending Judgment	path 09,11,14
Paternity Judgment-Long	path 09,07,12
Stip/Judgment of Paternity	path 09,07,13
Paternity Judgment-Default	path 09,07,18
Remedial Contempt Order	path 09,13,01,03
Affidavit for Contempt	path 09,13,01,07
Order to Show Cause	path 09,13,01,08
Stip/Order for Contempt	path 09,13,01,10
Compliance Enforcement Letter	path 09,13,02,13

Participation in the Children First Program does not reduce or eliminate the NCP's child support liabilities. If the NCP fails to make payments as ordered, the unpaid amount accrues as a debt and remains in arrears and interest is calculated at 1% per month on that debt.

Participation Requirements

Per Wisconsin statutes 49.36, the following restrictions are placed on NCP participation in the Children First Program:

- An NCP may not be required to participate for more than 32 hours per week in the Children First Program.
- An NCP may not be required to participate for more than 16 weeks during each 12-month period.
- If the NCP is employed, he/she may not be required to participate for more than 80% of the difference between 40 hours and the number of hours actually worked in the unsubsidized job during that week.
- Children First participants may be co-enrolled in other work programs if they meet that program's specific eligibility criteria. If a person is required by a governmental agency to participate in another work or training program, the NCP may not be required to participate in the Children First Program in a week for more than 32 hours minus the number of hours he/she is required to participate in the other program.

If the NCP misses hours (or days) of assigned activity during the 16-week period, the missed time may be added to the 16-week period until the total obligation is satisfied. The 16 weeks of required participation in the Children First Program do not necessarily need to be consecutive. If participation is interrupted, the employment and training agency should allow re-entry into the program.

Travel Reimbursement for Children First Participation

Pursuant to Wisconsin statutes s. 49.36(6), the Children First Program shall provide up to \$25 per month reimbursement for travel expenses for Children First participants.

Children First Referral and Registration

The child support agency is responsible to act as a liaison between the courts and the Children First Program by identifying individuals that meet the eligibility requirements outlined in Wisconsin Statute 767.295 and to recommend to the court that appropriate NCPs be court ordered to participate in the program. The child support agency is responsible to insure that for each noncustodial parent referred to the Children First Program, an appropriate court order is executed, including appropriate findings pursuant to Wis. Stat. 767.295.

The child support agency must complete the "Children First Registration Form", obtain the signature of the NCP, and send the Registration Form to the agency providing the Children First services. The Children First Registration Form found in the attachment section of this Program Guide must be used by all Children First programs as it contains the information that must be entered into CARES to begin the enrollment process.

Children First programs may request that the child support agency inform the NCP of the time and location of the Children First orientation or appointment. This information can be included on the Children First Registration Form or on the Children First Court Order found in KIDS.

Children First Data Entry and Tracking

Currently all Children First cases are tracked and monitored in the Client Assistance for Re-Employment and Economic Support (CARES) system. All Children First cases must be entered on the CARES system. For all services or activities that include data entry into CARES, the CARES data entry must be completed within 5 business days of the service or activity.

Please refer to the Wisconsin CARES Guide for information specific to Children First case entry. A copy of the CARES Guide can be found at:

<http://dwdworkweb/dws/manuals/caresguide/pdf/coverpage.pdf>

CARES reporting is crucial for program evaluation and planning purposes. It also provides any previous work program history on NCPs for Children First case managers.

In the event that the state uses another work program tracking system, Children First programs must utilize that system to track Children First case activity.

➤ Registration and Enrollment

Upon receipt of the Children First Registration Form, the agency providing the Children First services must enroll the NCP by entering the participant demographic information and Children First enrollment information into CARES.

CARES Guide, Section 1, Chapter 3: Client Registration (CR) provides information on completing Client Registration. Within CARES/Client Registration, screen CRPR begins the Client Registration process for non-eligibility programs including Children First. Refer to 3.5.4 of the CARES Guide for steps in completing Client Registration for Children First participants.

Once Client Registration has been completed in CARES, the participant will be referred to the Work Programs subsystem (CARES Guide, Section 2- Work Programs). Enrollment in the Work Programs subsystem must be completed, including the Client Information screen (WPWI). This screen includes information regarding whether the participant is in the Children First Program, the county/tribe in which the individual is ordered to participate, and is also the screen where completion codes must be entered.

Upon completion of this CARES data entry, the participant is considered “enrolled” into Children First.

➤ **Orientation**

All Children First Program participants must receive Orientation. At a minimum, Orientation must provide an overview of the Children First Program, an overview of the activities that are offered by the program, and the expectations for program participation. The participant must sign a “Rights and Responsibilities” form. A sample form is attached to this Program Guide. Orientation must be documented in CARES.

➤ **Assessment and Employability Plan**

In cooperation with the NCP, an Assessment regarding barriers to employment, and an Employability Plan (EP) must be completed in CARES.

Assessment information is entered in CARES on screens WPED, WPAW, WPEH, WPJR, WPBD, and WPRU. These screens collect information regarding education, employment history, barriers and goals.

An Employability Plan is completed on CARES screens WPJS and WPAS. The Employability Plan must include the assigned activities and hours of participation. The EP should be updated anytime there is a change in activities. Every attempt should be made to have the Children First participant sign the EP. Attempts should be documented. If a participant fails to sign the EP, it is still valid.

➤ **Activities**

Children First participants may be involved in activities up to 32 hours per week. Children First services provide NCPs with an opportunity to improve their ability to pay court ordered support and to provide overall support to their children. Services may include case management, services to assist the NCP in finding and maintaining employment, skills training, and parenting improvement services to promote self-sufficiency and responsible parenting. Individual Children First programs may design services to enhance program outcomes. These may include fatherhood and/or peer support services.

Assigned activities (also referred to as Components) must be entered on CARES screen WPCS once the Employability Plan has been completed. After entering activities, information may be viewed, updated and closed on CARES screen WPCH. All of the activities available for the Children First Program are described in detail as work program components in CARES Guide, Section 2-Work Programs, Appendix 01- Definitions of Components and Statuses, or in DWD/DHFS Operations Memos 03-50 and 03-78. DWD/DHFS Operations Memos can be found at: http://www.dwd.state.wi.us/dws/staff/ops_memos/default.htm.

Upon completion of assigned activities, activity completion codes and dates must be entered. CARES work program activity completion codes can be found in DWD/DHFS Operations Memo 03-31 at <http://www.dhfs.wisconsin.gov/em/ops-memos/2003/pdf/03-31.pdf>.

➤ **Activities Without CARES Codes**

For fatherhood-focused services, mediation, family formation services or other activities that are not included among the CARES activity code definitions, please enter CARES code PL (Parenting/Life Skills) and include an explanation in the Case Comments regarding what type/s of activities/services are being provided and the number of hours of participation. Non-participation should also be recorded as specified below under “Children First Program Non-Compliance.”

➤ **Child Support Payment Tracking**

Per Wisconsin statute, an NCP may successfully complete the Children First Program by completing 16 weeks of employment and training activities, or by making timely payment in full for three consecutive months. Children First case managers must monitor child support payments made by NCPs enrolled in the program. Case managers may track child support payments by going into the KIDS system and looking up the participant by name, social security number, or IV-D case number.

Child support payments may also be entered into CARES as an activity simultaneously with other activities. Please refer to CARES Guide, Section 2- Work Programs, Appendix 01- Definitions of Components or Statuses, or DWD/DHFS Operations Memos 03-50 for additional information regarding the use of this code.

➤ **Documenting Case Information/Comments**

Case comments are a formal record of case action or program-related information for an individual. Workers should record comments immediately to insure a sequential history. When comments are warranted they must be made no later than 24 hours after the action or contact with a participant. CARES screen CMCC is one of the most important screens to be completed on the Work Programs side of the CARES system.

Dual Enrollment

Subject to the limitations in Wisconsin statute 49.36, dual enrollment in other employment and training activities is an option for Children First participants provided the NCP also meets that program's specific eligibility criteria.

Please refer to the CARES Guide for additional information regarding data entry for participants that are dual enrolled. In addition, information regarding the use of the OC (Office Change) completion code for the non-eligibility (NE) Work Programs including Children First (CF) can be found in DWD/DHFS Operations

Memo 00-78 at http://www.dwd.state.wi.us/dws/staff/ops_memos/2000/pdf/00-078.pdf. In the case of a Children First participant who is subsequently enrolled in an Eligibility Program such as FSET, the Children First case manager will receive an "alert" that requires that they enter the OC code on the WPWI screen.

Children First Program Non-Compliance

A NCP is considered to be in non-compliance if he/she refuses, or fails (without Good Cause) to cooperate with the Children First Program requirements. Use the WPNH- Non-Participation History screen in CARES to record incidences of non-participation. Record any missed activities on this screen; also record Good Cause here. For additional information on recording non-participation on CARES screen WPNH, please refer to Operations Memo 04-26 by going to http://www.dwd.state.wi.us/dws/staff/ops_memos/default.htm.

Enter the CARES Non-compliance code while the NCP is in this status. Non-compliance with the Children First Program involves either:

- 1) Refusal or failure to participate in Orientation, Assessment and Employability planning and/or,
- 2) Refusal or failure to participate in assigned activities.

Fact Finding Process

Children First programs must have a Fact-Finding procedure for participants in non-compliance. The following model may be used if local procedures are not available. Sample forms are included in the attachment section of this Program Guide.

- If the NCP does not appear for the initial orientation appointment, they must be rescheduled within two weeks.
- The second appointment should include a Fact-Finding to identify the reasons for non-compliance and to help resolve the problem so that the NCP can participate in the program.
- A Reconciliation Agreement should be signed by the NCP during the Fact-Finding appointment.
- If an agreement cannot be reached, or the NCP parent fails to appear, a Notice of Non-Compliance must be mailed to the NCP, with a copy sent to the child support agency (CSA). The notice must include information on the right to an Administrative Review hearing.

In the Children First Program, the Administrative Review is conducted by either the agency providing the Children First services or the child support agency. If an Administrative Review hearing is requested within 10 days, the CSA should be notified. No enforcement action will be taken until the Administrative Review decision is rendered, however, the Children First court order will remain in effect and arrearages and interest will continue to accrue during this process.

If the NCP does not respond or participate in the Fact-Finding process, or comply with the Children First Program requirements, the child support agency must be notified of the non-compliance in the form of an Affidavit. Sample Affidavit forms can be found in the attachment section of this Program Guide.

Program Completion

Per Wisconsin statute 767.295 in order to successfully complete the Children First Program, an NCP must make timely payment in full of the court ordered support for three consecutive months, or complete sixteen weeks participation in employment and training activities.

Case managers must notify the child support agency of the successful completion or of non-compliance in the form of an Affidavit. Components (activities) must be closed on CARES screen WPCH and a completion code entered on WPWI, followed by the disenrollment process on WPDS. Refer to CARES Guide, Section 2, Chapter 9-Exit From Work Programs.

Out of County NCPs

Wisconsin statute 767.295 addresses the issue of an NCP who resides in a county other than the county where the court action takes place. It is understood that the statute is also meant to address situations where a tribal jurisdiction may be involved. The use of the word “county” is not meant to exclude the possibility of tribal jurisdiction.

NCPs who live outside the county where the Children First order originated may be ordered into the program if the county that they reside in has a Children First Program and that county agrees to enroll them (per Wisconsin Statute 767.295 (2) 1m.).

If a NCP is ordered into a Children First Program by one local agency and they subsequently move and the program in their new county of residence does not agree to enroll them in their program or does not administer a Children First Program, the Children First Program in the jurisdiction that originated the order may retain the enrollment if the travel time for the NCP is within a reasonable distance. However, if the new residence is not within a reasonable distance

for the NCP to travel or the case is not accepted by the new county/tribal agency, the Children First case manager should contact the child support agency of the county/tribe that originated the order and file a report on the new location and status of the NCP.

In all cases of crossing over county boundaries, only one agency may claim reimbursement. The administrative agencies involved in cross county/tribal services may negotiate reimbursement arrangements between themselves.

Children First Forms

The Children First Registration Form is mandatory for every Children First Program. This is because the CARES data entry will be done using the information on this form. In addition, court orders for participation in Children First must include findings pursuant to Wisconsin statute 767.295.

Other forms for program operations are subject to local agency discretion. Thanks to Kaiser Group and Fond du Lac County for the attached sample forms that may be used as model templates for local Children First programs.

Program Monitoring by DWD

Beginning in CY 2004, DWD will monitor compliance with state statutes and policies governing the administration of the Children First Program. Program and policy monitoring within child support agencies will be completed by Child Support Regional Administrators and will occur during regular scheduled on-site visits. In addition, DWD may begin monitoring financial records related to Children First expenditures. Administrative and partner agencies are expected to comply with monitoring requests.

Children First Program Funding

Program funding for Children First is state general-purpose revenue (GPR) that is used as Maintenance of Effort (MOE) funds for the Temporary Assistance for Needy Families (TANF) Program. The state budget for the Children First Program is established by the Legislature. Allocations are calculated on the number of NCP participants, or "slots" that a Children First Program may need in comparison to the availability of funds in the state budget. Children First programs may also use other appropriate fund sources, and or other available agency or community resources to serve Children First participants.

Wisconsin statute restricts Children First reimbursement to not more than \$400 per participant in a 12-month period. Allowable costs are limited to costs associated with providing employment and training services. Any additional costs are the responsibility of the Children First contractor.

Children First funds may not be used for services authorized under Title IV-D of the Social Security Act for the administration of the child support program or as match for any federal dollars.

The Department may deobligate unexpended funds awarded to Children First programs when the contract amount is under spent by 20% or more on a year-to-date basis. These funds may be redistributed to other Children First programs.

Expense Reporting

The Department of Workforce Development uses the CORE system for reimbursement claims for participants in the Children First Program. Participating Children First agencies must follow DWD procedures and use prescribed CORE claim forms to request program reimbursement. Claims must be submitted with other W-2 and/or child support expenditures. Payment will be made on or around the first of each month based on DWD procedures. Wisconsin statute restricts Children First reimbursement to not more than \$400 per participant in a 12-month period. Allowable costs are limited to costs associated with providing employment and training services. Any additional costs are the responsibility of the Children First contractor.

Wisconsin Statute Chapter 49.36

CHAPTER 49.36 Work experience program for noncustodial parents.

(1) In this section:

- (a) "Custodial parent" means a parent who lives with his or her child for substantial periods of time.
- (b) "Tribal governing body" means an elected tribal governing body of a federally recognized American Indian tribe or band.

(2) The department may contract with any county, tribal governing body, or Wisconsin works agency to administer a work experience and job training program for parents who are not custodial parents and who fail to pay child support or to meet their children's needs for support as a result of unemployment or underemployment. The program may provide the kinds of work experience and job training services available from the program under s. 49.193, 1997 stats., or s. 49.147(3) or (4). The program may also include job search and job orientation activities. The department shall fund the program from the appropriation under s. 20.445 (3)(dz).

(3) (a) Except as provided in par. (f), a person ordered to register under s. 767.295(2)(a) shall participate in a work experience program if services are available.

(b) A person may not be required to participate for more than 32 hours per week in the program under this section.

(c) A person may not be required to participate for more than 16 weeks during each 12-month period in a program under this section.

(d) If a person is required by a governmental entity to participate in another work or training program, the person may not be required to participate in a program under this section in a week for more than 32 hours minus the number

of hours he or she is required to participate in the other work or training program in that week.

(e) If a person is employed, the person may not be required to participate in a program under this section in a week for more than 80% of the difference between 40 hours and the number of hours actually worked in the unsubsidized job during that week.

(f) A person who works, on average, 32 hours or more per week in an unsubsidized job is not required to participate in a program under this section.

(4) When a person completes 16 weeks of participation in a program under this section, the county, tribal governing body, or Wisconsin works agency operating the program shall inform the clerk of courts, by affidavit, of that completion.

(5) A person participating in work experience as part of the program under this section is considered an employee of the county, tribal governing body, or Wisconsin works agency administering the program under this section for purposes of worker's compensation benefits only.

(6) A county, tribal governing body, or Wisconsin works agency administering the program under this section shall reimburse a person for reasonable transportation costs incurred because of participation in a program under this section up to a maximum of \$25 per month.

(7) The department shall pay a county, tribal governing body, or Wisconsin works agency not more than \$400 for each person who participates in the program under this section in the region in which the county, tribal governing body, or Wisconsin works agency administers the program under this section. The county, tribal governing body, or Wisconsin works agency shall pay any additional costs of the program.

History: 1987 a. 413; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2135 to 2142; 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16.

Wisconsin Statute Chapter 767.295

767.295 Work experience and job training orders and child support orders in certain cases. (1)

In this section, “custodial parent” means a parent who lives with his or her child for substantial periods of time.

(2) (a) In an action for modification of a child support order under s. 767.32, an action in which an order for child support is required under s. 767.25(1), 767.51(3) or 767.62(4) or a contempt of court proceeding to enforce a child support or family support order in a county that contracts under 49.36(2), the court may order a parent who is not a custodial parent to register for a work experience and job training program under s. 49.36 if all of the following conditions are met:

1. The parent is able to work full-time.

1m. If the parent resides in a county other than the county in which the court action or proceeding takes place, the parent resides in a county with a work experience and job training program under s. 49.36 and that county agrees to enroll the parent in the program.

2. The parent works, on average, less than 32 hours per week, and is not participating in an employment and training program which meets guidelines established by the department.

3. The parent’s actual weekly gross income averages less than 40 times the federal minimum hourly wage under 29 USC 206(a)(1) or the parent is earning less than the parent has the ability to earn, as determined by the court.

(b) Under this subsection, the parent is presumed to be able to work full time. The parent has the burden of proving that he or she is not able to work full time.

(c) If the court enters an order under par. (a), it shall order the parent to pay child support equal to the amount determined by applying the percentage standard established under s. 49.22(9) to the income a person would earn by working 40 hours per week for the federal minimum hourly wage under 29 USC 206(a)(1) or equal to the amount of child support that the parent was ordered to pay in the most recent determination of support under this chapter. The child support obligation ordered under this paragraph continues until the parent makes timely payment in full for 3 consecutive months or until the person participates in the program under s. 49.36 for 16 weeks, whichever comes first. The court shall provide in its order that the parent must make child support payments calculated under s. 767.25(1j) or (1m) after the obligation to make payments ordered under this paragraph ceases.

History: 1987 a. 413; 1993 a. 16, 481; 1995 a. 27 ss. 7105 to 7109, 9130(4); 1995 a. 404; 1997 a. 191; 1999 a. 9

Workforce Development Areas

1. Southeast	7. Northwest
Kenosha County	Ashland County
Racine County	Bayfield County
Walworth County	Burnett County
	Douglas County
2. Milwaukee County	Iron County
	Price County
3. WOW	Rusk County
Ozaukee County	Sawyer County
Washington County	Taylor County
Waukesha County	Washburn County
	Bad River Band of Lake Superior Chippewa
4. Fox Valley	Lac Courte Oreilles Tribal Government
Calumet County	Red Cliff Band of Lake Superior Chippewa
Fond du Lac County	
Green Lake County	8. West Central
Outagamie County	Barron County
Waupaca County	Chippewa County
Waushara County	Clark County
Winnebago County	Dunn County
	Eau Claire County
5. Bay Area	Pierce County
Brown County	Pepin County
Door County	Polk County
Florence County	St. Croix County
Kewaunee County	St. Croix Band of Lake Superior Chippewa
Manitowoc County	
Marinette County	9. Western
Menominee County	Buffalo County
Oconto County	Crawford County
Shawano County	Jackson County
Sheboygan County	Juneau County
Menominee Nation of Wisconsin	La Crosse County
Oneida Tribe of Indians of Wisconsin	Monroe County
Stockbridge-Munsee Band of Mohican Indians	Trempealeau County
	Vernon County
6. North Central Wisconsin	Ho-Chunk Nation
Adams County	
Forest County	10. South Central
Langlade County	Columbia County
Lincoln County	Dane County
Marathon County	Dodge County
Oneida County	Jefferson County
Portage County	Marquette County
Vilas County	Sauk County
Wood County	
Lac du Flambeau Tribe	11. Southwest
Forest County Potawatomi Community, Inc.	Grant County
Mole Lake Band of Sokaogon Chippewa	Green County
	Iowa County
	Lafayette County
	Rock County
	Richland County

CHILDREN FIRST PROGRAM **REGISTRATION FORM**

This form **MUST** be completed by the Child Support Agency and sent to the agency providing the Children First Services.

CF Participant Name (First, Middle Initial, Last)	Social Security Number	
Mailing Address (Number, Street, City, State, Zip Code)	Date of Birth (Month/Day/Year)	
Gender: Please indicate Male or Female	Race (Optional)	
Work Program Appointment Information: Location, Date, Time (If available - Optional) If information is not available – the Work Program office will mail an appointment to the participant.		
Telephone Number ()	Date Signed	CF Participant Signature

The Children First Program is administered through the Department of Workforce Development (DWD), Division of Workforce Solutions (DWS). Within DWS, the Bureau of Child Support (BCS) has oversight responsibilities for the program, which includes policy development and interpretation, program planning, and contract funding.

County/Tribe Where Court Ordered	Court Order Effective Date
IV-D Case Number	Current order for support? (Please indicate yes/no)
CSA Contact	Phone ()
CSA Address (Street, City and zip)	

Children First Initial Appointment Notice

Address of Children First Program

Address

City, State, Zip

TO: _____
SS# _____

DATE MAILED: _____

An appointment has been scheduled for you with your Case Manager, _____, for a meeting. **If you fail to keep this appointment, your case may be referred to the Child Support Agency/Clerk of Courts for possible contempt of court charges.** If you have a conflict with the time and date of the appointment listed below, please contact me at (____) _____.

Your appointment is scheduled for:

Day _____ Date _____ Time _____

Our office is located at _____.

Mailed/Received/Signed this _____ day of _____, 2005.

Children First Case Manager

YOUR RIGHTS AND RESPONSIBILITIES **CHILDREN FIRST PROGRAM**

YOUR RESPONSIBILITIES ARE:

Assigned Activities: You must keep all Children First appointments, appointments made with other agencies through this program, and complete all other assigned activities or explain why you cannot. If you remain unemployed after four to six weeks of job search activities, you may be required to participate in a volunteer work experience assigned by your case manager. If you miss an appointment or do not complete assigned activities, without good cause, you will be in non-compliance. You will be scheduled for a reconciliation appointment to resolve the problems surrounding your failure to comply with program requirements (see below under Non-Compliance Resolution).

Medical Information: Should you report any physical or mental inability to be employed or to participate in the Children First Program, YOU must provide the medical verification at your own expense through your doctor of choice within 10 days.

Job Search: Unless otherwise stated in your Employability Plan (EP), you may spend up to 32 hours per week in job search activities with the goal of obtaining full-time permanent employment. The number of jobs you apply for per week will be determined at the time your Employability Plan is developed with your case manager. You will be required to document your job search on contact sheets provided to you and submit them to your case manager on a weekly basis.

Change of Mailing Address or Phone Number: You must notify the Children First office of any changes in your mailing address or phone number within one week of the change. You also have a responsibility to report these changes to the County Clerk of Courts office at _____.

Notify Children First of new employment or interruptions in employment: You must notify your Children First case manager immediately if you get a job, quit a job, get fired from a job, or your employment is interrupted for ANY reason. If you begin working with a temporary agency and then are hired directly by the company you were assigned to, you must notify the Children First Office of this change so a new wage assignment will be issued to the company that will be paying your wages. You must notify your Children First case manager immediately of any problems that would prevent you from maintaining employment or participating in the Children First program.

IMPORTANT: If you leave employment without good cause, your case can be referred back to Court for failure to maintain employment. Your case manager will discuss this policy with you further. (Good cause for leaving a job may include: new employment, no work available for you, illness, unreasonable work conditions, health and safety hazards and religious reasons. Proof of good cause will be required from you.)

YOUR RIGHTS ARE:

Good Cause: Acceptable reasons for missing a Children First appointment may include illness, court appearance, no transportation, bad weather and other serious problems. You must call you Children First case manager before the appointment or as soon as possible to explain your absence.

Non-Compliance Resolution: After enrollment, if it appears that you are not cooperating with Children First, a meeting will be scheduled with your case manager for you to explain your non-compliance. Children First has a responsibility to report your participant record to the Child Support Agency and/or the Family Court Judge or Commissioner. You will have an opportunity to reconcile with Children First and begin cooperating with its requirements before any action is taken to refer your case for legal enforcement.

Notification: You will be notified in writing, if you are to appear in court for non-compliance.

Fair Hearing: You may request an administrative hearing, if you believe any action taken is in error.

Complaints: If you have complaints or concerns about discrimination, assignments, or other problems, contact the Children First Supervisor at (____) _____.

Participant Signature

Date

Children First Case Manager Signature

Date

****SAMPLE****

CHILDREN FIRST FACT FINDING APPOINTMENT NOTICE

Address of Children First Program

Address

City, State, Zip

TO: _____ SS# _____

Date Mailed _____

You have been scheduled for a meeting because your record indicates you have not met requirements of the Children First Program in the following area (s):

At this meeting you will have the chance to explain your apparent failure to meet the program requirements.

If you fail to keep this appointment, your case may be referred to the Child Support Agency and/or the Clerk of Courts for possible contempt of court charges. If you have a conflict with the date or time of the appointment, please contact me at (____) _____.

Your appointment is scheduled for:

Day _____ Date _____ Time _____

Our office is located at _____.

Mailed/Received/Signed this _____ day of _____, 2005.

Children First Case Manager

CHILDREN FIRST RECONCILIATION AGREEMENT

I am willing to participate in the Children First program, and I agree to fulfill my responsibilities in this program.

I understand that if I fail to cooperate or to fulfill my responsibilities in any way with the Children First program, my case will be referred to the Child Support Agency and/or the Clerk of Courts. ***By failing to cooperate with the rules of the work program, I may be in contempt of court and appropriate actions will be taken.***

This agreement will remain in effect for 90 days.

Participant's Signature

Social Security #

Date

Witnessed by:

Children First Case Manager

Date

**NOTIFICATION OF NON-COMPLIANCE WITH
CHILDREN FIRST PROGRAM**

TO: _____ **DATE MAILED:** _____

RE: COURT CASE No. _____

It has been determined that you, _____ have failed to cooperate with the Children First Program in _____ county (tribal jurisdiction). Your case has been referred to _____ County (Tribal) Child Support for non-compliance. This determination is based on the following facts:

If you dispute the facts above, or the conclusion of non-compliance, you are entitled to an Administrative Hearing. Contact _____ at _____ within 10 days of the above date to schedule a hearing. Your case has been referred to Child Support Enforcement for possible legal action.

FAILURE TO COMPLY WITH THE CHILDREN FIRST PROGRAM MAY LEAD TO A FINDING OF CONTEMPT OF COURT.

Signed:

Children First Case Manager

cc: Children First participant
CSA
File

AFFIDAVIT OF NON-COMPLIANCE WITH CHILDREN FIRST PROGRAM

In re the Support Obligation of:

Case No. _____

- 1) That I am a Case Manager for _____ County (Tribal) Children First Program. My duties include coordinating and monitoring compliance with said program.
- 2) That, on _____, the above-named obligor, _____ was referred to the Children First Program pursuant to WI Stat. 767.295.
- 3) That a copy of the Court Order requiring Children First Program participation was provided to the obligor at the above referenced hearing **OR** was mailed to the obligor to his/her last know address by the Child Support Agency.
- 4) That the obligor has failed to participate in the program by:
- 5) That, based on the forgoing, the obligor has failed/refused to participate in the Children First Program as ordered by the Court.

By: _____
Children First Case Manager
_____ County (Tribe), Wisconsin

Notary Public

_____, Wisconsin
My Commission Expires _____

STATE OF WISCONSIN CIRCUIT COURT-FAMILY DIVISION
_____ COUNTY

STATE OF WISCONSIN, ex rel,
In re the Support Obligation of:

AFFIDAVIT OF SUCCESSFUL COMPLETION OF CHILDREN FIRST PROGRAM

Case No. _____

I, _____, being first duly sworn, on oath, depose and state as follows:

1. That I am a Case Manager for _____ County (Tribal) Children First agency. My duties include coordinating and monitoring compliance with that program.
2. That, on _____, the above-named obligor, _____ was referred to the Children First Program pursuant to WI Stat. 767.295.
3. That the obligor successfully completed Children first participation by:

Completing 16 weeks Children First participation, or

Making child support payments, as ordered, for three consecutive months.

Dated this _____ day of _____, 20_____

BY:

Children First Case Manager
_____ County (Tribe), Wisconsin

Signed and sworn before me this _____ day of _____, 20__.

Notary Public

_____, Wisconsin
My commission Expires _____